

**CENTRAL ADMINISTRATIVE TRIBUNAL
CHENNAI BENCH**

OA/310/00766/2018

Dated Friday the 22nd day of June Two Thousand Eighteen

PRESENT

HON'BLE SMT. B. BHAMATHI, Member (A)

P.C.S.Jaganathan,
No. 1, Plot No. 47, 2nd Cross Street,
Golden Avenue,
Vevekandha Nagar Extn.,
Nellithope Post,
Puducherry 605005.Applicant

By Advocate M/s. R. Natarajan

Vs

- 1.Union of India
rep by the Chief Secretary,
Govt. of Puducherry,
Chief Secretariat, Puducherry.
- 2.Secretary to Government (Power),
Govt. of Puducherry,
Chief Secretariat, Puducherry.
- 3.Superintendent Engineer-I
cum-Head of the Department,
Electricity Department,
Govt. of Puducherry, Puducherry.
- 4.The Director of Accounts & Treasuries,
Govt. of Puducherry, Puducherry.Respondents

By Advocate Mr. R. Syed Mustafa

ORAL ORDER

(Pronounced by Hon'ble Smt. B. Bhamathi, Member(A))

Heard the learned counsel for applicant. The applicant has filed this OA under section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

- “a. Direct the respondents 2 to 4 herein to fix and pay the regular / final pension to him consequent upon retirement on 30.04.2017 on attaining the age of superannuation in the status, position and ranking in Group-A service as Financial Controller in the Electricity Department, Government of Puducherry in terms of the last pay drawn for a period of 10 months prior to superannuation together with interest at the rate of 9% interest per annum and other allowances as admissible from time to time.
- b. Direct the respondents 2 to 4 herein to pay gratuity amount due to him at the rate of Rs. 15,16,944 together with interest at 9% per annum with effect from 30.04.2017;
- c. direct the respondents 2 to 4 herein to pay commuted value of pension at Rs. 17,38,440/- together with interest at the rate of 9% per annum with effect from 30.04.2017;
- d. direct the respondents 2 to 4 herein to pay cash equivalent of Earned leave credited in his account as on date of his retirement on 30.04.2017 at Rs. 9,19,360/- to him with interest at the rate of 9% per annum with effect from 30.04.2017;
- e. direct the respondents to pay costs to him and;
- f. pass such further or other orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case and thus render justice.”

2. It is submitted that the applicant retired on 30.04.2017 as Director of Accounts and Treasuries / Financial Controller in the Electricity Department, Government of Puducherry. He is aggrieved

that his retirement benefits have not been released so far. He filed an RTI application on 23.10.2017 and in response, he received a reply stating that no charge memo was issued to him, no disciplinary proceeding or criminal charge was pending against him and no suspension order was issued to him. It is submitted that this Tribunal had allowed an OA 349/2013 vide order dated 16.02.2015 in which the applicant therein was similarly placed as the applicant herein. The above order of this Tribunal was also affirmed by the Hon'ble Madras High Court thereby dismissing the WP 14965/2015 vide order dated 05.08.2015 filed by the respondents in OA 349/2013. He made a representation on 06.06.2017 referring therein to the judgment of Hon'ble High Court in WP 14965/2015 for settlement of his retirement benefits which is still pending for consideration. Learned counsel for applicant submits that the applicant would be satisfied if the competent authority is directed to consider his representation within a time limit to be stipulated by this Tribunal.

3. Ms. S. Devie takes notice for the respondents on behalf of Mr. R. Syed Mustafa.

4. To meet the ends of justice and without going into the merits of the case, I deem it appropriate to direct the competent authority to consider the representation of the applicant dated 06.06.2017 in accordance with law, as per rules and in the light of the order of the

Hon'ble Madras High Court dated 05.08.2015 (supra) and pass a reasoned and speaking order within a period of four weeks from the date of receipt of certified copy of this order.

5. OA is disposed of with the above direction at the admission stage.

(B. Bhamathi)
Member(A)
22.06.2018

SKSI